



## **Intergovernmental Working Group on Older Persons**

**22 April 2026 Call for Input**

Submitted by Age Knowble Consulting Inc.

With Input from Older Persons, the Global Community, and Age Knowble

### **Section 1 — Introduction**

Age Knowble is pleased to provide this submission in response to the call for input on the conceptual framework, overall architecture, and guiding principles of the future legally binding instrument on the human rights of older persons. We support the development of a Convention that recognises older persons as full rights-holders entitled to the full and equal enjoyment of all human rights and fundamental freedoms.

At this foundational stage, conceptual clarity, meaningful guiding principles, and effective architecture are essential. They will shape how older persons are understood, how rights are interpreted and applied, how obligations are organised, and whether the future instrument is practical, coherent, and capable of improving everyday life.

As populations age and experiences of later life become more diverse, many older persons continue to face ageism, discrimination, exclusion, poverty, abuse, inadequate support systems, and barriers to participation, autonomy, justice, housing, health, and security. Existing rights are too often not fully realised in practice, while emerging risks and changing futures remain insufficiently addressed.

A future Convention can affirm rights, clarify their meaning in older age, close protection gaps, guide implementation, and help societies adapt to demographic and social change. It can help ensure rights remain practical, meaningful, and future-relevant for older persons today and for all who are growing older.

This submission offers recommendations on:

- conceptual framework and purpose
- guiding principles
- affirming, clarifying, and applying existing and emerging rights
- structure and architecture
- implementation, accountability, and future relevance

### **Section 2 — Basis of This Submission / Methodology**

This submission is informed by lived experience, community dialogue, comparative insight, civil society engagement, and Age Knowble's ongoing work on the human rights of older persons in local and global contexts.

The evidence base is broad and grounded, drawing from older persons, advocates, practitioners, care partners, civil society organisations, national human rights institutions, and other stakeholders across regions.

#### Four Streams of Evidence and Engagement:

##### A. Community Workshops and Older Persons' Voices

- Our Voice, Our Dignity, Our Rights — three workshops with 49 older Chinese Canadians exploring dignity in everyday life (Annex 1)
- Discovery dialogue with 22 older Canadians in a culturally diverse geography exploring general principles, priorities, and later-life realities (Annex 2)

##### B. Global and Cross-Sector Consultation Processes

- Age Knowble Global Rally Event — “Who Decides?” with a cross-sector, cross-regional panel including older persons with dementia and approximately 140 participants (Annex 3)
- Age Knowble Global Consultation Survey with 130 respondents from 32 countries and diverse stakeholder groups, including older persons, NGOs, caregivers, researchers, advocates, family members, and others (Annex 4)

These engagements identified strong areas of common concern and priority, while also revealing nuanced differences shaped by diverse lived experiences.

##### C. Existing Practices, Comparative Experience, and Applied Expertise

This submission also draws on Age Knowble’s engagement in UN and other human rights processes, comparative treaty practice, and experience in strategic planning, systems thinking, concept design, stakeholder engagement, and translating complex issues into practical frameworks.

##### D. Emerging Realities and Future Risks

Consideration of technological, demographic, economic, environmental, humanitarian, and social changes shaping older age now and in the future.

Age Knowble sought to combine normative ambition with practical relevance, with emphasis on making rights real in everyday life; addressing structural discrimination and exclusion; recognising diversity within older age; ensuring meaningful participation; balancing immediate and progressive obligations where relevant; and future-proofing rights protections

The examples used later in this submission are illustrative applications of the proposed framework and are not exhaustive lists of rights concerns. Overall, this submission seeks to help build a Convention framework that is principled, practical, implementable, and transformative.

### **Section 3 – Responding to Call for Input Question 1**

The international legally binding instrument should be guided by a human rights-based conceptual framework that recognises older persons as full rights-holders entitled to the full and equal enjoyment of all human rights and fundamental freedoms throughout older age. The framework

should move beyond welfare, charity, dependency, or protection-only approaches and instead affirm older persons as persons of equal dignity, status, agency, and social value.

Evidence from Age Knowble's four consultation streams — community workshops with older Chinese Canadians, dialogue with older Canadians, the Global Rally on dementia and human rights, and the Global Online Consultation spanning 32 countries — consistently points toward seven mutually reinforcing elements of such a framework.

### **1. Full Rights-Holder Recognition**

Older persons remain full rights-holders regardless of age, disability, dependency, diagnosis, frailty, or cognitive change. Rights do not diminish because capacities change or support is required.

Participants across consultation processes repeatedly rejected assumptions that older persons become passive recipients of care or lose standing in decisions affecting their own lives. Older persons living with dementia and other participants strongly affirmed that diagnosis must never erase personhood, identity, or legal recognition.

The instrument should therefore begin from clear recognition of equal status before the law and in society, reinforcing that older persons remain subjects of rights, not objects of protection.

### **2. Dignity Beyond Survival**

Dignity in older age is broader than physical survival or basic maintenance. It includes being seen, heard, respected, remembered, included, safe, and able to pursue meaning in everyday life.

Older Chinese Canadian participants associated dignity with being listened to, mutual respect, harmony, independence, and not being ignored. Global respondents linked dignity to treatment in care settings, continuity of relationships, privacy, voice, and freedom from humiliation or infantilisation.

The framework should therefore understand dignity through three interrelated dimensions: inherent dignity possessed equally by every person; lived dignity experienced through everyday relationships, systems, and environments; and dignity at risk, where social conditions, dependency, institutionalisation, stigma, poverty, neglect, or loss of voice expose older persons to humiliation, invisibility, or dehumanising treatment

This third dimension is particularly important. As disability rights, women's rights, and other equality-based approaches have shown, vulnerability often lies not in the person, but in barriers, power imbalances, discrimination, and environments that fail to respect dignity. The same insight should apply to older persons.

### **3. Substantive Equality and Diversity**

Older persons are not a homogeneous group. Experiences of ageing are shaped by disability and functional ability, gender, poverty and income insecurity, language, rural isolation, migration status, culture, spirituality, race, ethnicity, sexuality, and crisis or displacement contexts.

Consultation findings showed how these realities directly affect enjoyment of rights. Language barriers can prevent access to services or complaints systems. Rural isolation may limit healthcare, transport, and community participation. Poverty can reduce housing choice, nutrition,

or access to care. Dementia or cognitive change may expose people to paternalism or exclusion. Cultural disconnection can undermine dignity and trust in services.

The framework should therefore adopt a model of substantive equality, requiring accessibility, accommodation, culturally responsive systems, targeted inclusion measures, and removal of structural barriers such as ageism and intersectional discrimination.

#### **4. Relational Autonomy and Supported Agency**

Autonomy in older age is often exercised through relationships, trust, communication support, and practical assistance. It should not be understood only as isolated individual decision-making.

Across the Global Rally and wider consultation, respondents strongly supported self-determination while recognising that some older persons may require support to understand information, communicate preferences, or make decisions. Many emphasised that autonomy can be contextual, graduated, and strengthened through support.

The framework should therefore recognise will and preferences as central; supported decision-making; trusted networks and family where chosen by the person; safeguards against coercion, substitution, and undue influence; and continued participation in everyday and major decisions

This recognises that many older persons may need assistance while still retaining voice, choice, and decision-making rights.

#### **5. Life-Course, Community, and Interdependence**

The instrument should recognise that all persons are older persons in the making. Older age is not an “othered” category but part of the human life course.

This perspective helps counter stigma and frames ageing policy as relevant to present and future generations alike. It also recognises that inequalities in older age often reflect cumulative disadvantage across the lifespan, including poverty, discrimination, unpaid care burdens, poor housing, or exclusion from education and work.

Consultation findings also highlighted that ageing is relational and community-based. Older Chinese Canadian participants emphasised harmony, mutual support, closeness, and being connected rather than isolated. Similar values are reflected in African philosophies such as Ubuntu, which recognises human dignity through interdependence, shared humanity, and mutual care.

The framework should therefore combine a life-course lens with recognition that self-determined lives and dignity are often sustained through family, community, solidarity, and reciprocal care.

#### **6. Rights Realisation in Practice**

Rights must not remain aspirational. Respondents repeatedly stressed that recognition in principle is insufficient where systems fail in practice.

Across the four consultation streams, older persons and stakeholders pointed to a recurring gap between formal rights and lived experience. Dignity is undermined when care settings are understaffed or unaccountable. Participation is weakened when transport, communication, or

digital systems are inaccessible. Autonomy is reduced when no supported decision-making options exist. Equality is compromised when services are fragmented, culturally unsafe, or unaffordable. Rights are also weakened where there is no monitoring, no accountability for failures, and no accessible pathways for complaint or remedy.

The framework should therefore require implementation conditions that make rights exercisable in everyday life, including accessible institutions, quality services, trained workforces, community-based supports, complaint and remedy pathways, effective oversight, monitoring systems, coordinated governance, accountability mechanisms, and adequate resourcing. Rights should be measured not only by recognition in law, but by whether older persons can actually enjoy them in practice.

## **7. Future Readiness and Evolving Ageing**

The instrument should remain responsive to changing realities of ageing over time. Older persons today and tomorrow may face circumstances different from those of previous generations.

Consultation findings highlighted digitalisation, assistive technologies, longer and more diverse life spans, changing family care structures, migration, conflict, pandemics, and climate-related disruption. These developments can create both new opportunities and new forms of exclusion.

For the Convention to remain future-ready, it should contain principles capable of dynamic interpretation, obligations adaptable to changing contexts, regular review and monitoring processes, and space for progressive implementation as new realities emerge. This is needed so that the Convention does not become static while ageing itself continues to evolve.

### **Overall Conclusion**

The overarching framework should affirm that older persons are equal rights-holders whose dignity, personhood, autonomy, diversity, and participation must be respected, protected, and fulfilled in law and in lived reality.

In essence, the instrument should recognise older persons fully, value them equally, include them meaningfully, support self-determined lives, make rights real in practice, and remain fit for the future.

Such a framework would best reflect and reinforce the recognition that older persons are entitled to the full and equal enjoyment of all human rights and fundamental freedoms.

## **Section 4 – Responding to Call for Input Question 2**

### **Section 4.1 — General Principles (Response to Question 2a)**

Age Knowble recommends the following seven principles to guide both the promotion and protection of the human rights of older persons. Informed by lived experience, community dialogue, and cross-sector insights, they affirm older persons as full rights-holders entitled to dignity, equality, and self-determined lives; respond to the realities and diversity of later life; and support a Convention that is practical, transformative, and relevant across time. Together, they help ensure

that rights are realised in everyday life, embedded in law and public systems, and sustained through social and institutional change. These principles should be understood and applied through a life-course, intergenerational, accessibility, inclusion, and meaningful participation lens, recognising that we are all growing older.

Each principle is presented through:

A. Rights Realisation in Everyday Life — how older persons should experience the principle in daily life.

B. Convention and State Application — how the principle should be reflected in law, policy, systems, and practice.

C. Rights-Enabling Ecosystem Transformation — how the principle can help shift wider social, institutional, and cultural conditions over time.

## **PRINCIPLE 1. Dignity and Equal Worth**

Older persons are human beings, no less than others, with inherent dignity and equal worth throughout older age. Equal worth does not depend on age, productivity, health status, disability, dependency, cognitive change, income, or social role. Requiring support or care must never diminish status, respect, rights, or recognition as a valued member of society. Older age should be recognised not as lesser human status, but as a continuing stage of equal human dignity and social worth within our shared human future.

### **A. Rights Realisation in Everyday Life**

- respect in everyday interactions
- being seen, heard, and taken seriously
- privacy across homes, hospitals, care, and services
- support without shame, pity, or loss of standing
- freedom from burden narratives or devaluing treatment
- recognition of identity, culture, faith, language, and life history
- confidence that their lives continue to matter

### **B. Convention and State Application**

- affirm inherent dignity and equal worth in all settings
- prohibit degrading, humiliating, dehumanising, or age-based disrespectful treatment
- require dignity-centred standards in care, healthcare, housing, detention, and emergencies
- provide accessible remedies where dignity is violated
- challenge ageist and devaluing narratives in institutions and services

### **C. Rights-Enabling Ecosystem Transformation**

- valuing people by productivity → valuing people by humanity
- burden narratives → equal social worth
- invisibility → recognition
- dependency stigma → dignity across interdependence
- institutional convenience → person-centred respect
- older age as decline → older age as continuing human value

## **PRINCIPLE 2. Personhood and Self-Determination**

Older persons remain full persons and rights-holders throughout older age, including where disability, dependency, or cognitive change is present. They are entitled to self-determination: to direct their own lives, express will and preferences, make personal decisions with appropriate support where needed, and pursue meaning, relationships, contribution, work, service, creativity, and development across older age. Self-determination is broader than independence or narrow notions of autonomy. It includes supported, relational, and evolving ways of shaping one's life. Equal legal agency and decision-making rights, including legal capacity on an equal basis with others, should be recognised and protected.

### **A. Rights Realisation in Everyday Life**

- control over daily lives, routines, and priorities
- respect for will, preferences, and values
- support to make personal decisions where needed
- being listened to in healthcare, housing, financial, care, and family matters
- choices about where and with whom to live, where possible
- opportunities for meaning, purpose, growth, and contribution
- recognition that their lives remain their own

### **B. Convention and State Application**

- affirm continuing personhood and equal rights-holder status
- recognise equal legal agency and decision-making rights, including legal capacity on an equal basis with others
- require supported decision-making guided by will and preferences
- prohibit age- or diagnosis-based exclusion from decisions
- protect free and informed consent
- ensure communication and decision supports where needed

### **C. Rights-Enabling Ecosystem Transformation**

- substituted control → supported self-determination
- independence-only ideals → supported and relational autonomy
- decline narratives → continuing personhood and development
- speaking for older persons → listening to older persons
- care as compliance → care as partnership
- passive dependency → continued agency, purpose, and contribution

## **PRINCIPLE 3. Equality and Non-Discrimination**

Older persons are entitled to equality before and under the law, and to the equal enjoyment of all human rights and fundamental freedoms without discrimination. Equality requires more than identical treatment. It requires substantive equality through fair and responsive measures that remove barriers and address disadvantage across diverse circumstances of older age. Equality requires not only equal recognition, but equal enjoyment of rights in law, policy, institutions, work, services, and everyday life.

### **A. Rights Realisation in Everyday Life**

- fair treatment in healthcare, employment, housing, banking, insurance, transport, and services
- opportunities to work, volunteer, learn, and participate without arbitrary age barriers

- decisions based on individual circumstances rather than stereotypes
- equal access to information, technology, justice, and participation
- barriers removed where systems disadvantage them
- being believed and taken seriously when asserting concerns or rights

#### B. Convention and State Application

- prohibit direct, indirect, multiple, and intersectional age discrimination
- guarantee equality before and under the law, and equal enjoyment of rights in practice
- require accessibility, accommodation, and barrier removal where needed
- review unjustified age limits and discriminatory exclusions
- ensure equal access to justice, remedies, and complaints mechanisms
- address ageism in institutions, markets, and services

#### C. Rights-Enabling Ecosystem Transformation

- formal equality → substantive equality
- neutral rules with unequal effects → fair and responsive systems
- tolerated ageism → equality cultures
- exclusion by design → inclusion by design
- discounted older voices → authoritative participation
- hidden discrimination → visible accountability

### **PRINCIPLE 4. Participation and Relational Belonging**

Older persons have the right to participate meaningfully in family, community, civic, cultural, economic, and public life, and to remain connected, recognised, and included in the relationships and communities through which dignity, identity, wellbeing, citizenship, and contribution are sustained.

#### A. Rights Realisation in Everyday Life

- meaningful contact with family, friends, peers, and trusted networks
- opportunities to work, volunteer, mentor, care, learn, worship, create, and contribute where desired
- support to participate despite disability, language, mobility, sensory, or digital barriers
- continuity of valued relationships during illness, relocation, bereavement, or care transitions
- being welcomed and included rather than isolated or socially erased
- opportunities to share knowledge, skills, leadership, culture, and lived experience

#### B. Convention and State Application

- ensure meaningful participation of older persons in decision-making, design, implementation, and review
- establish consultation mechanisms through which views genuinely influence outcomes
- protect family life, visitation, communication, and continuity of relationships
- support community living and prevent unnecessary segregation or isolation
- promote age-friendly communities, housing, transport, and digital environments
- recognise the civic, cultural, caregiving, economic, and social contributions of older persons

#### C. Rights-Enabling Ecosystem Transformation

- consultation without influence → shared decision-making
- isolation cultures → belonging ecosystems
- segregation → community connection
- ageing at the margins → active social citizenship
- older persons as recipients → workers, carers, mentors, creators, and community builders
- loneliness as a private issue → shared public responsibility

## **PRINCIPLE 5. Protection, Support, Safeguards, and Security**

Older persons have the right to live free from abuse, neglect, violence, exploitation, coercion, abandonment, degrading treatment, and arbitrary deprivation of liberty. They are also entitled to timely, appropriate, affordable, and rights-respecting supports necessary to live with dignity, self-determination, safety, participation, wellbeing, and security, including social, economic, housing, care, and relational security.

### **A. Rights Realisation in Everyday Life**

- freedom from abuse, neglect, violence, coercion, abandonment, and degrading treatment
- support that preserves dignity, choice, privacy, and relationships
- timely assistance with care, housing, mobility, communication, finances, or daily living
- confidence that needed income, housing, care, and support will not suddenly disappear
- safety without loss of voice, autonomy, or community connection
- access to trusted help, advocacy, and remedies when harm occurs

### **B. Convention and State Application**

- prevent, investigate, punish, and remedy abuse, neglect, violence, exploitation, coercion, and abandonment
- regulate institutions and care settings to prevent confinement, restraint, and rights violations
- ensure accessible community-based supports that reduce abandonment, homelessness, and unnecessary institutionalisation
- support social protection, income security, affordable housing, and essential care supports
- require least restrictive, lawful, necessary, and proportionate measures where intervention is needed
- establish accessible complaints, advocacy, oversight, and remedies mechanisms

### **C. Rights-Enabling Ecosystem Transformation**

- protection as control → rights-enabling support
- insecurity and crisis dependence → dependable security across later life
- risk elimination → dignity of risk
- abuse-only responses → preventing abuse and structural neglect
- care as compliance → care as partnership
- passive recipients of protection → rights-holders entitled to safe, secure, supported lives

## **PRINCIPLE 6. Accountability and Rights-Realising Systems**

Older persons are entitled to laws, institutions, services, age-friendly environments and communities, and remedies that make rights real in everyday life.

#### A. Rights Realisation in Everyday Life

- understandable, reachable, and easy-to-navigate services
- timely and respectful responses when help is needed
- continuity of income, housing, care, transport, and community supports
- real options to challenge unfair decisions and seek remedies
- systems that work equally for people who are offline, isolated, poor, disabled, rural, migrant, or living with cognitive change
- confidence that public institutions act fairly and consistently

#### B. Convention and State Application

- align laws, budgets, institutions, and services with Convention rights
- establish accountability, complaints, remedies, and independent oversight
- coordinate health, housing, income, care, transport, justice, and community systems
- ensure systems are accessible, multilingual, navigable, and not digital-only
- involve older persons in design, delivery, monitoring, and review
- ensure adequately resourced, skilled, and rights-based workforces across services

#### C. Rights-Enabling Ecosystem Transformation

- fragmented services → coordinated systems built around people's lives
- bureaucratic gatekeeping → rights-guided access
- complaint-only accountability → accountability by design
- expert-only governance → co-governance with older persons
- digital exclusion → inclusive service ecosystems
- hidden system failures → visible and clear accountability

### **PRINCIPLE 7. Resilience, Adaptation, and Future Relevance**

Older persons are entitled to the continuing protection and effective enjoyment of their human rights as societies, technologies, environments, institutions, and experiences of ageing evolve over time.

#### A. Rights Realisation in Everyday Life

- rights protections that continue during crises, disasters, pandemics, conflict, displacement, or disruption
- services and supports that adjust as health, family, housing, care, or income realities change
- confidence that changing technologies and service models will include rather than exclude or replace them
- continued access to communication, transport, and essential services as systems evolve
- continuity of dignity, participation, security, and support across longer and more diverse later lives
- trust that rights will be recognised and protected throughout later life for current and future older persons

#### B. Convention and State Application

- ensure protections remain effective during emergencies, disasters, conflict, displacement, and economic shocks
- periodically review laws, policies, and implementation as realities of later life evolve

- anticipate and prevent emerging forms of exclusion, including digital-only systems, automated harms, inaccessible technologies, changing family structures, and mobility barriers
- plan sustainably for longer lives, diverse care needs, housing transitions, income security, workforce demands, and changing support networks
- use foresight, evidence, and meaningful participation of older persons in future planning

#### C. Rights-Enabling Ecosystem Transformation

- static assumptions about life in older age → adaptive ecosystems supporting diverse later lives
- crisis fragility → resilient rights protection
- reactive governance → anticipatory governance
- one-size-fits-all later life models → diverse life-course pathways
- short-horizon planning → intergenerational long-range planning
- institutions built for yesterday's realities of later life → systems fit for longer and less predictable life pathways
- protecting only current older persons → promoting and protecting the rights of all who are growing older

### Section 4.2 — Existing and Emerging Rights in Older Age (Response to Question 2b)

Existing human rights apply fully to older persons, yet often require clearer interpretation and application in light of later-life realities. Rights are frequently framed in general terms, while older persons experience them through diverse identities, changing circumstances, and evolving systems. A future Convention can help bridge this gap by providing interpretive guidance that makes rights clearer, more practical, and more effective in older age today and tomorrow. To support this, Age Knowble proposes a **Framework for Reaffirming, Clarifying, and Applying Existing and Emerging Rights in Older Age**.

#### Interpretive and Application Lenses

##### A. Identity Lens

Recognises diversity and intersecting identities, including race, ethnicity, culture, language, gender, disability, sexuality, migration status, geography, and socio-economic position.

##### B. Circumstance Lens

Recognises later-life, life-course, environmental, and system realities, including poverty, widowhood, caregiving, dependency, dementia, institutionalisation, displacement, digital exclusion, changing support needs, transitions over time, and barriers created by systems.

##### C. Principles Lens

Applies the Convention's guiding principles, such as those set out in Section 3.1.

**Cross-cutting:** accountability, participation, and remedies should operate throughout.

#### Application Dimensions

##### D1. Core Minimum / Universal Standard

Identifies the minimum content of the right that should apply to all older persons.

##### D2. Context-Sensitive Application

Recognizes that implementation may vary across legal systems, cultures, geographies, family structures, levels of development, and available resources.

##### D3. Immediate Obligations and Progressive Realisation

Recognises that some rights require immediate respect, protection, and non-discrimination, while others require deliberate and continuous steps over time, without regression, to strengthen enjoyment of rights using maximum available resources where relevant.

### **Example 1. Right to Adequate Housing for Older Persons**

**Existing Right** - The right to adequate housing is recognised in the International Covenant on Economic, Social and Cultural Rights Article 11.

#### **Applying the Framework:**

**Identity Lens** -Housing barriers may differ for Indigenous, migrant, widowed women, LGBTQ+ older persons, low-income older persons, rural older persons, or disabled older persons.

**Circumstance Lens** Housing rights may be affected by reduced income, widowhood, mobility change, need for care, eviction risk, homelessness, institutionalisation, unsafe environments, or climate displacement.

#### **Principles Lens**

- Principle 1 — Dignity and Equal Worth: housing should preserve dignity and never amount to neglect or invisibility
- Principle 2 — Personhood and Self-Determination: genuine choice in where, how, and with whom to live
- Principle 3 — Equality and Non-Discrimination: no age barriers in housing access, tenure, finance, or insurance
- Principle 4 — Participation and Relational Belonging: housing should sustain relationships and community life
- Principle 5 — Protection, Support, Safeguards, and Security: security of tenure and freedom from coercive placement
- Principle 6 — Accountability and Rights-Realising Systems: remedies where housing systems fail
- Principle 7 — Resilience, Adaptation, and Future Relevance: housing systems should adapt to longer lives and changing households

#### **Core Minimum / Universal Standard**

All older persons should have housing that is safe, secure, and affordable; provides security of tenure; is accessible or adaptable over time; supports privacy, dignity, and autonomy; enables connection to family, culture, and community; and includes essential services.

#### **Context-Sensitive Application**

Implementation may differ across urban and rural areas, formal and informal housing systems, family-based or supported living models, and cultural preferences, but should never justify homelessness, unsafe housing, or institutionalisation by default.

#### **Immediate Obligations and Progressive Realisation**

States should immediately prohibit discriminatory exclusion, unlawful eviction, and unsafe conditions, and progressively expand affordable and accessible housing, support ageing in place where desired, strengthen home modification and community supports, prevent homelessness, and plan for longer lives.

## **How the Future Convention Adds Value**

The future Convention can affirm that the right to adequate housing applies fully in older age while clarifying that housing is not merely shelter, but also dignity, autonomy, accessibility, security, and connection to community. It can require genuine choice in living arrangements, support ageing in place where desired, prevent homelessness and institutionalisation caused by lack of alternatives, address discrimination in housing access and tenure, and ensure housing systems adapt to longer lives, changing care needs, and diverse later-life pathways.

## **Example 2. Right to Privacy in the Context of Monitoring Technology**

### **Existing Right**

The right to privacy is recognised in the International Covenant on Civil and Political Rights Article 17.

### **Applying the Framework**

#### **Identity Lens**

Privacy risks may differ for Indigenous, migrant, LGBTQ+ older persons, low-income older persons, rural older persons, or disabled older persons, including mistrust of surveillance, language barriers, unequal access to alternatives, or inaccessible technologies.

#### **Circumstance Lens**

Privacy may be affected by dependence on carers, dementia, shared rooms, pressure to accept monitoring for safety, or digital systems replacing human contact.

#### **Principles Lens**

- Principle 1 — Dignity and Equal Worth: monitoring should not humiliate or infantilise
- Principle 2 — Personhood and Self-Determination: consent, preferences, and supported decision-making matter
- Principle 3 — Equality and Non-Discrimination: no lower privacy standards because of age
- Principle 4 — Participation and Relational Belonging: technology should support connection, not isolation
- Principle 5 — Protection, Support, Safeguards, and Security: safety technologies require safeguards against coercion and overreach
- Principle 6 — Accountability and Rights-Realising Systems: oversight, complaints, and remedies are required
- Principle 7 — Resilience, Adaptation, and Future Relevance: protections must keep pace with AI, data systems, and future technologies

#### **Core Minimum / Universal Standard**

All older persons should have informed and ongoing consent; least intrusive alternatives; privacy in home, room, body, and communications; confidentiality of personal data; no blanket surveillance because of age.

#### **Context-Sensitive Application**

Standards may apply differently in home care, residential care, rural settings, or low-resource contexts, but core privacy protections remain.

### **Immediate Obligations and Progressive Realisation**

States should immediately prohibit unlawful or disproportionate surveillance in care settings, ensure accessible remedies and oversight, and progressively update laws, strengthen safeguards, improve consent systems, and regulate AI and monitoring tools as technologies evolve.

### **How the Future Convention Adds Value**

The future Convention can affirm that privacy rights apply equally in older age while clarifying their meaning in digitally mediated care settings. It can establish that age, disability, dependency, or residence in care settings do not justify reduced privacy protections; require informed and ongoing consent, supported decision-making, and least intrusive alternatives; ensure technology complements rather than replaces human relationships and support; provide safeguards against surveillance abuse, automated harms, and data misuse; and require accountability as technologies evolve over time.

A framework such as this, grounded in older persons as full rights-holders, the lived realities and diversity of later life, environmental and systemic circumstances, and clear general principles, can support clearer interpretation and more consistent application of existing and emerging rights in older age. It can translate legal commitments into practical standards, strengthen implementation and enforcement, guide adaptation to changing realities, and support progressive realisation where relevant. In doing so, it can help ensure rights protections remain meaningful, responsive, and future-relevant for older persons today and for all who are growing older.

## **Section 5 — Response to Call for Input Question 3**

### **Overall Structure / Architecture of the Legally Binding Instrument**

Age Knowble considers that a clear and effective legally binding instrument should combine established treaty architecture with design features responsive to the realities of older age, systemic ageism, demographic change, and evolving social, economic, environmental, and technological conditions. The instrument should be accessible in structure, practical in implementation, and capable of remaining relevant across time.

While many core treaty elements are well established, the central question is not only what sections the instrument should contain, but whether its architecture enables the full and equal enjoyment of human rights by older persons in everyday life.

#### **1. Core Structural Components**

The instrument should include core components commonly associated with effective human rights treaties, while ensuring they are adapted to the specific realities and future needs of older persons.

A. Preamble – Preamble should establish the purpose, context, and interpretive direction of the Convention by affirming older persons as full rights-holders entitled to all human rights and fundamental freedoms; recognising ageism, discrimination, exclusion, abuse, neglect, and invisibility; acknowledging the diversity, dignity, agency, and contributions of older persons; and situating the Convention within demographic change, longer lives, intergenerational fairness, and emerging risks and opportunities such as technology, climate change, conflict, displacement, and changing care systems.

B. Definitions - Definitions can promote clarity while avoiding undue rigidity. Terms that may assist include older persons, age discrimination, ageism, multiple and intersectional discrimination, accessibility, reasonable accommodation where relevant, support and care settings, and abuse, neglect, and exploitation. Definitions should remain functional, inclusive, and capable of application across diverse legal and cultural contexts.

C. General Principles - The instrument should contain general principles to guide interpretation, implementation, and future development of rights protections. Age Knowble's recommended principles are set out in Section 3.1.

D. General Obligations - General obligations should require States Parties to take legislative, administrative, policy, budgetary, educational, and other appropriate measures to realise Convention rights. This should include duties to respect, protect, and fulfil rights; prohibit discrimination and address ageism; mainstream ageing and older persons' rights across government; ensure accessibility and inclusion; collect appropriate data and evidence with safeguards; provide remedies and accountability mechanisms; ensure meaningful participation of older persons; use maximum available resources where relevant; and cooperate internationally where appropriate.

E. Specific Rights and Substantive Provisions - Specific rights provisions should be organised in a clear, accessible, and coherent manner that reflects how older persons experience rights in everyday life. The instrument should address both longstanding human rights concerns and emerging realities of later life, integrating civil, political, economic, social, cultural, environmental, and technological dimensions.

Rights articles may include:

- equality, non-discrimination, legal agency, liberty, and security
- participation, family life, work, contribution, volunteering, and lifelong learning
- health, rehabilitation, palliative care, long-term supports, and wellbeing
- adequate housing, community living, mobility, and income security
- accessibility, communication, transport, and information
- privacy, digital inclusion, and protection in technological environments
- rights in emergencies, disasters, conflict, and displacement

Rights provisions should reflect both immediate protections and longer-term enabling conditions, and be interpreted in light of the Convention's general principles and overall purpose.

F. Implementation, Monitoring, and Accountability

The Convention should contain robust implementation provisions. The precise institutional mechanism may be negotiated, but effective accountability is non-negotiable. In light of current capacity and resource realities, innovative, practical, participatory, and adequately resourced monitoring approaches should also be considered to ensure timely, accessible, and meaningful implementation.

Implementation provisions should support regular review of State implementation, accessible complaints and remedies, independent monitoring and oversight, participation of older persons and civil society, technical assistance and capacity-building where needed, follow-up on

recommendations, visibility of progress and persistent gaps, and efficient accessible procedures, including digital participation where appropriate.

Mechanisms should be adequately resourced, practical, and accessible.

G. Final Provisions - Standard treaty provisions should address ratification, accession, entry into force, amendments, reservations consistent with treaty purpose, and related final clauses.

## **2. Non-Negotiable Design Functions**

Regardless of final drafting form, the Convention's architecture should ensure that it can:

- make rights real in everyday life through practical standards affecting housing, care, income, participation, privacy, and security
- explicitly address ageism as a structural barrier to equal enjoyment of rights
- protect across homes, communities, institutions, humanitarian settings, digital environments, and public systems
- combine immediate obligations with progressive measures where relevant
- ensure meaningful participation of older persons in implementation, review, and future development
- remain responsive to technological change, climate pressures, changing family structures, longer lives, and emerging risks
- support real accountability through learning, remedies, transparency, and measurable progress
- encourage innovation and practical effectiveness rather than relying solely on legacy implementation models

## **3. Forward-Looking Considerations**

Age Knowble encourages consideration of provisions that help the Convention remain responsive over time, including periodic review of emerging risks and opportunities affecting older persons, age-inclusive impact assessment of laws, policies, and technologies, strengthened cooperation between States, national institutions, civil society, and older persons, and mechanisms that connect global standards with practical implementation.

A strong Convention architecture should do more than organise text. It should organise action. By combining clear treaty structure with practical obligations, meaningful accountability, openness to innovation, and future relevance, the instrument can help ensure that the human rights of older persons are promoted and protected in law, policy, institutions, and everyday life.

## **Annexes — Supporting Materials**

The main submission concludes on the preceding pages. The following annexes are supplementary materials referenced in the submission and are provided to support transparency, evidence, and further insight. They may be reviewed selectively based on the reader's interests and relevance.

### **Annex Index**

1. **Annex 1** — [Our Voices, Our Dignity, Our Right](#)
2. **Annex 2** — [South Vancouver Perspectives on Older Canadians' Rights](#)
3. **Annex 3** — [Rally Event: Human Rights Principles That Matter to Older Person with Dementia](#)
4. **Annex 4** — [Global Online Consultation: Human Rights Principles That Matter to Older Persons](#)

These annexes complement the main submission by providing additional community input, consultation findings, and illustrative evidence relevant to the development of the future Convention.